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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,271	03/10/2004	Glenn Algic		2945

27820 7590 10/30/2007	**EXAMINER**
WITHROW & TERRANOVA, P.L.L.C. 100 REGENCY FOREST DRIVE SUITE 160 CARY, NC 27518	NGUYEN, ANH NGOC M

ART UNIT	PAPER NUMBER
4181	

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10/30/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/797,271	ALGIE ET AL.
	Examiner	**Art Unit**	
	Anh Ngoc Nguyen	4181	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *10 March 2004*.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-12* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-12* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on *10 March 2004* is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413)
                                                    Paper No(s)/Mail Date. _____.
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)   5) ☐ Notice of Informal Patent Application
     Paper No(s)/Mail Date _____.   6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claim 1 – 5 and 7 - 11 are rejected under 35 U.S.C. 102(b) as being anticipated by

Hayball et al (US 6,385,196).

Consider claim 1, Hayball discloses an adaptive interconnect for providing an interface

between multiple modules and a control system (see abstract, Fig. 6 and col. 3 lines 34 - 67,

where Hayball discusses a call server for administering control and a plurality of fabric control

modules coupled to the call server through a fabric application interface). Hayball discloses a

control system interface (see abstract and Fig. 6, where Hayball discusses fabric application

interface therefore an interface between the control system and other fabric applications).

Hayball discloses a plurality of module interfaces (see abstract, col. 4 lines 36 - 42 and col. 3

lines 34 – 47 lines 53 – 56, where Hayball discusses a plurality of fabric control modules coupled

to the call server through a fabric application interface). Hayball discloses adaptive interconnect

logic associated with the control system interface and the plurality of module interfaces (see

abstract, Fig. 6, col. 3 lines 55 – 67, and col. 4 lines 7 - 10, where Hayball discusses call server

with a control processor therefore an adaptive interconnect logic). Hayball discloses negotiate

with a module over a control path via one of the plurality of module interfaces to identify an

interface personality for the module (see col. 3 lines 49 – 67, col. 4 lines 1- 25 lines 51 - 65, and

col. 8 lines 30 – 42, where Hayball discusses the call server requesting the management agent to

determine and interrogate an operational status therefore negotiating). Hayball discloses select

the interface personality based on negotiations with the module (see col. 6 ines 37 – 45 and col.

15 lines 45 – 52, where Hayball discusses the call server processes incoming call requests and

selects an appropriate outgoing trunk or line). Hayball discloses apply the interface personality

to the one of the plurality of module interfaces (see col. 6 lines 30 – 45, col. 7 lines 1 – 6, where

Hayball discusses call server administers and control the set-up and tear-down of calls across the

narrowband network therefore applying the interface personality once connection has been

established).

Consider claim 2, Hayball discusses the adaptive interconnect of claim 1 wherein

different interface personalities can be implemented simultaneously among the plurality of

module interfaces (see col. 4 lines 35 – 50 and col. 10 lines 57 - 67, where Hayball discusses

instigating alteration of the fabric application interface in response to and based on the change).

Consider claim 3, Hayball discloses the adaptive interconnect of claim 1 wherein the

adaptive interconnect logic is further adapted to renegotiate with the module over the control

path if initial negotiations fail (see col. 15 lines 1 – 34, where Hayball discusses the call server

controls the operation of ATMS 304 and relating the message that connections in the network are

busy and try again therefore renegotiating).

Consider claim 4, Hayball discloses the adaptive interconnect of claim 3 wherein if the

renegotiation fails, the adaptive interconnect logic is further adapted to send a notification of

failure (see col. 19 lines 1 – 27, where Hayball discusses a NOTIFY signaling scheme with a

notification indicator to identify cause of failure).

Consider claim 5, Hayball discloses the adaptive interconnect of claims 1 wherein the

adaptive interconnect logic is further adapted to receive a stimulus indicative of a change in

personality for the module (see col. 4 lines 35 – 50, where Hayball discusses the processor

interrogates an operation status and instigates alteration of the fabric application interface in

response to and based on the change). Hayball discloses renegotiate with the module over the

control path via one of the plurality of module interfaces to identify a new interface personality

for the module (see see col. 3 lines 49 – 67, col. 4 lines 1- 25 lines 51 - 65, col. 8 lines 30 – 42,

and col. 15 lines 1 – 34, where Hayball discusses the call server controls the operation of ATMS

304 and relating the message that connections in the network are busy and try again therefore

renegotiating). Hayball discloses select the new interface personality based on the renegotiations

with the module (see col. 6 ines 37 – 45 and col. 15 lines 45 – 52, and col. 8 lines 30 – 42, where

Hayball discusses the call server processes incoming call requests and selects an appropriate

outgoing trunk or line). Hayball discloses apply the new interface personality to the one of the

plurality of module interfaces (see col. 6 lines 30 – 45, col. 7 lines 1 – 6, where Hayball

discusses call server administers and control the set-up and tear-down of calls across the

narrowband network therefore applying the interface personality once connection has been

established).

Consider claim 7, Hayball discloses a method for providing an interface between multiple

modules and a control system (see Fig. 6, abstract and col. 3 lines 5 - 14, where Hayball

discusses fabric application interface). Hayball discloses negotiating with a module over a

control path via one of a plurality of module interfaces to identify an interface personality for the

module (see col. 3 lines 49 – 67, col. 4 lines 1- 25 lines 51 - 65, where Hayball discusses the call

server requesting the management agent to determine and interrogate an operational status

therefore negotiating). Hayball discloses selecting the interface personality based on

negotiations with the module (see col. 6 ines 37 – 45, col. 8 lines 30 – 42 and col. 15 lines 45 –

52, where Hayball discusses the call server processes incoming call requests and selects an

appropriate outgoing trunk or line). Hayball discloses applying the interface personality to the

one of the plurality of module interfaces (see col. 6 lines 30 – 45, col. 7 lines 1 – 6, where

Hayball discusses call server administers and control the set-up and tear-down of calls across the

narrowband network therefore applying the interface personality once connection has been

established).

Consider claim 8, Hayball discloses the method of claim 7 wherein different interface

personalities can be implemented simultaneously among the plurality of module interfaces (see

col. 4 lines 35 – 50, where Hayball discusses instigating alteration of the fabric application

interface in response to and based on the change).

Consider claim 9, Hayball discloses the method of claim 7 further comprising

renegotiating with the module over the control path if initial negotiations fail (see see col. 3 lines

49 – 67, col. 4 lines 1- 25 lines 51 - 65, col. 8 lines 30 – 42, and col. 15 lines 1 – 34, where

Hayball discusses the call server controls the operation of ATMS 304 and relating the message

that connections in the network are busy and try again therefore renegotiating).

Consider claim 10, Hayball discloses the method of claim 9 wherein if the renegotiation

fails, further comprising sending a notification of failure (see col. 19 lines 1 – 27, where Hayball

discusses a signaling scheme NOTIFY with a notification indicator to identify cause of failure).

Consider claim 11, Hayball discloses the method of claim 7 further comprising receiving a stimulus indicative of a change in personality for the module (see col. 4 lines 35 – 50, where Hayball discusses instigating alteration of the fabric application interface in response to and based on the change). Hayball discloses renegotiating with the module over the control path via one of the plurality of module interfaces to identify a new interface personality for the module (see see col. 3 lines 49 – 67, col. 4 lines 1- 25 lines 51 - 65, col. 8 lines 30 – 42, and col. 15 lines 1 – 34, where Hayball discusses the call server controls the operation of ATMS 304 and relating the message that connections in the network are busy and try again therefore renegotiating). Hayball discloses selecting the new interface personality based on the renegotiations with the module (see col. 6 ines 37 – 45, col. 8 lines 30 – 42, and col. 15 lines 45 – 52, where Hayball discusses the call server processes incoming call requests and selects an appropriate outgoing trunk or line). Hayball discloses applying the new interface personality to the one of the plurality of module interfaces (see col. 6 lines 30 – 45, col. 7 lines 1 – 6, where Hayball discusses call server administers and control the set-up and tear-down of calls across the narrowband network therefore applying the interface personality once connection has been established).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 6 and12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayball et

al (US 6,385,196) in view of Mikhalchuk (US 2002/0174193).

Consider claim 6, Hayball does not disclose specifically the adaptive interconnect of

claim 1 wherein negotiating, selecting and applying the interface personality are dynamic and

occur automatically upon plugging the module into the one of the plurality of module interfaces.

Mikhalchuk discloses the adaptive interconnect of claim 1 wherein negotiating, selecting and

applying the interface personality are dynamic and occur automatically upon plugging the

module into the one of the plurality of module interfaces (see para 0027 and para 0029).

It would have been obvious to one ordinary skilled in the art at the time the invention was

made to modify the invention of Hayball, and use a plug in module, as taught by Mikhalchuk,

thus developing at least one plug-in module to interface with at least one supporting module on

the server, as discussed by Mikhalchuk (see para 0018 and para 0019).

Consider claim 12, Hayball does not disclose specifically the method of claim 7 wherein

negotiating, selecting and applying the interface personality are dynamic and occur automatically

upon plugging the module into the one of the plurality of module interfaces. Mikhalchuk

discloses the method of claim 7 wherein negotiating, selecting and applying the interface

personality are dynamic and occur automatically upon plugging the module into the one of the

plurality of module interfaces (see para 0027 and para 0029).

It would have been obvious to one ordinary skilled in the art at the time the invention was

made to modify the invention of Hayball, and use a plug in module, as taught by Mikhalchuk,

thus developing at least one plug-in module to interface with at least one supporting module on

the server, as discussed by Mikhalchuk (see para 0018 and para 0019).

DETAILED ACTION

5.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. Heaton et al (US 2004/0189460) discloses a method and a system for monitoring

events and devices and apparatus adapted and configured for use in such a system. Yanagawa

(US 6,667,992) discloses a network control system with many interconnections on networks.

Benson (US 2004/0162928) discloses a communication bus that allows the computing system

and the peripheral devices to communicate in an orderly manner. Benson et al (US

2004/0168008) discloses a monitor for a dual ported bus interface. Gupta et al (US 6,658,565)

discloses a monitoring system for a computer internetwork. Krivoshein et al (5,980,078)

discloses a process control system with automatic sensing and automatic configuration of

devices.

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Anh Ngoc Nguyen whose telephone number is 5712705139. The

examiner can normally be reached from 8AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Nick Corsaro can be reached on 5712727876. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anh Ngoc Nguyen

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